**Mississippi Department of
Information Technology Services**

3771 Eastwood Drive
Jackson, MS 39211-6381
Phone: 601-432-8000
Fax: 601-713-6380
www.its.ms.gov

Notice of Intent to Certify Sole Source

To: Interested Parties

From: Michele Blocker, Interim Executive Director

CC: ITS Project Number 46119

Date: October 20, 2020

Re: Sole Source Certification Number 4349 to provide IBM SPSS Statistics Software License Subscription and Support for the University of Mississippi Medical Center (UMMC)

Contact Name: Wesley Wright

Contact Phone Number: 601-432-8103

Contact E-mail Address: Wesley.Wright@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4349 for the University of Mississippi Medical Center (UMMC), please be advised that ITS intends to award International Business Machines Corporation (IBM) as the sole source provider of IBM SPSS Statistics Software License Subscription and Support through November 30, 2023, in an amount not to exceed $116,172.00. Please be advised that ITS will determine if additional enhancements, upgrades, support, equipment are within scope during the certification period and may increase the spending authority accordingly. Should International Business Machines Corporation change its name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

   IBM SPSS is a data analytics/mining platform used in the nursing curriculum as well as by social scientists at the UMMC. IBM SPSS predictive analytics software offers advanced techniques in an easy-to-use package to help find new opportunities, improve efficiency (time for analysis), and minimize risk. Risk Reduction statistics are statistics that are used in clinical practice as evidence-based practice. All treatments are designed to reduce the patient's risk of an adverse outcome. No treatment can be guaranteed to cure all patients. Papers presenting best treatment practices present rationale for treatment decisions for risk reduction of individual patients and patient populations. The software addresses the entire analytical

process: planning, data collection, analysis, reporting, and deployment. Certain grant and research opportunities require the use of SPSS for the delivery of data and data mining. The result of not having this product would be a reduction in grant submissions.

The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

SPSS is a platform that Biostatistics courses in the School of Health-Related Professions use in the course to train students in statistics. The Psychology Internship provides access to SPSS. Additionally, the collaborators outside of UMMC determine the selection of software depending on the focus of the project. Specifically, social science studies (survey type studies) may require the use of IBM SPSS in order to participate in the study. UMMC needs to have SPSS available to demonstrate its ability to participate in grants.

The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

IBM SPSS is the original manufacturer of IBM SPSS software products. IBM is the sole manufacturer of all IBM SPSS software bug fixes and other software code maintenance updates based on changes to the IBM SPSS software source code, which are currently provided as part of the IBM subscription and support services.

The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	10/20/20
Second Advertisement Date	10/27/20
Response Deadline From Objectors	11/03/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 11/04/20

Project Details

IBM SPSS Statistics software is UMMC's data analytics/mining solution used in the nursing curriculum and by social scientists to mine data as required by certain grant and research opportunities. UMMC purchased IBM SPSS Statistics software in 2012. In November 2017, ITS advertised Notice of Intent to Certify Sole Source No. 4046 for IBM SPSS Statistics Software License Subscription and Support. No objections were received from interested parties. UMMC has spent a total of $269,304.50 to-date and wishes to renew for an additional three years.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the IBM SPSS Statistics Software License Subscription and Support should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to IBM.

1.1 Interested Party Information

    1.1.1 Contact Name, Phone Number and email address

    1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

    1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

    1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, November 3, 2020, at 3:00 p.m. (Central Time) to Wesley Wright at Wesley.Wright@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Wesley Wright to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

SUBMITTED IN RESPONSE TO
Sole Source Certification No. 4349-46119
Accepted until November 3, 2020 @ 3:00 p.m.,
ATTENTION: Wesley Wright

If you have any questions concerning the information above or if we can be of further assistance, please contact Wesley Wright at 601-432-8103 or via email at Wesley.Wright@its.ms.gov.

Attachment A: Customer Sole Source Certification Request
Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview

ITS
mississippi department of
Information Technology Services

Sole Source Certification Request

Project Title: IBM SPSS Software	**Stimulus (ARRA) Funds? Yes___ No X**

Customer Contact Information	
Agency/Public University: University of Mississippi Medical Center **Address**: 2500 North State Street Jackson, MS 39216	**Contact Person:** Lydia Ory **Phone:** (601) 815-5275 **Fax:** **Email Address:** lory@umc.edu
MAGIC Customer Number (only required from state agencies)**:**	**Division/Dept:** **Handmail:** ☐ **Yes** ☒ **No**

Project Summary *Narrative Description of Project* (include details of original acquisition if applicable):
IBM SPSS is a data analytics/mining platform used in the nursing curriculum, Biostatistics courses, as well as by social scientists at UMMC.

ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):

Cost Estimates *Fiscal Year*	*Initial Costs*	*Ongoing Costs*	**Time Constraints** Item Needed by: Funds Expire:	**Anticipated Lifecycle of Products/System** (i.e. estimated years of effective use):
FY21		$38,724.00	**Discuss Funding** (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds)	
FY22		$38,724.00		
FY23		$38,724.00		
Total		$116,172.00		

Acquisition Details

Items Requested	**Quantity**	**Description**	**Building Location(s)**
IBM SPSS Statistics	**75 licenses**	**Software and support**	

Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification:

Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?
Project submitted to ITS with sole source letter.

Sole Source Certification   Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.

Specific business requirements to be met by the requested products or services:
SPSS is a platform that Biostatistics courses in the School of Health-Related Professions use in the course to train students in statistics. The Psychology Internship provides access to SPSS. Additionally, the collaborators outside of UMMC determine the selection of software depending on the focus of the project. Specifically, social science studies (survey type studies) may require the use of IBM SPSS in order to participate in the study. UMMC needs to have SPSS available to demonstrate its ability to participate in grants.

Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality):
IBM SPSS is a data analytics/mining platform used in the nursing curriculum as well as by social scientists at the UMMC. IBM SPSS predictive analytics software offers advanced techniques in an easy-to-use package to help find new opportunities, improve efficiency (time for analysis), and minimize risk. Risk Reduction statistics are statistics that are used in clinical practice as evidence-based practice. All treatments are designed to reduce the patient's risk of an adverse outcome. No treatment can be guaranteed to cure all patients. Papers presenting best treatment practices present rationale for treatment decisions for risk reduction of individual patients and patient populations. The software addresses the entire analytical process: planning, data collection, analysis, reporting, and deployment. Certain grant and research opportunities require the use of SPSS for the delivery of data and data mining. The result of not having this product would be a reduction in grant submissions.

Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated)**:**
IBM SPSS is the original manufacturer of IBM SPSS software products. IBM is the sole manufacturer of all IBM SPSS software bug fixes and other software code maintenance updates based on changes to the IBM SPSS software source code, which are currently provided as part of the IBM subscription and support services.

Vendor's Certification of Sole Source attached: ☒ **Yes** ☐ **No**	**Vendor's proposal attached:** ☒ **Yes** ☐ **No**

MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.

Place Order To	**Remit To**

Vendor Name: IBM Corp – New York
Vendor Address: c/o IBM Income Tax Department
          North Castle Drive, Armonk, NY 10504
	Vendor Name: IBM Corp - Pittsburg
	Vendor Address: P.O. Box 643600
	          Pittsburg, PA 15264-3600

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated

Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

Ellen Swoder / CIO-Applications
_____
Name (Agency Head or Public University CIO)/Title

_____ 10/b/20
Signature   Date

IBM

International Business Machines Corporation
71 South Wacker Drive
Chicago, IL 60606

9/16/20

Attn: Alfred Kuhnert
University of Mississippi Medical Center
2500 North State Street
Jackson, MS 39216

RE: SPSS-Campus Agreement – University of Mississippi Medical Center

Dear Alfred,

This letter provides supporting detail regarding IBM as a supplier of IBM SPSS Software and its Subscription and Support Services.

IBM SPSS is the original manufacturer of IBM SPSS software products. Except for third-party code licensed by IBM, title to and ownership of the native IBM SPSS software source code, and all applicable rights in patents, copyrights, and trade secrets in the IBM SPSS software, remains exclusively with IBM. As owner of the software, IBM performs defect prevention and detection procedures on our IBM SPSS software source code. Accordingly, IBM is the sole manufacturer of all IBM SPSS software bug fixes and other software code maintenance updates based on changes to the IBM SPSS software source code, which are currently provided as part of the IBM subscription and support services.

The Campus Value License is a unique and customized client offering designed specifically for institutions of higher learning. This license is only offered via IBM SPSS Corporation, US and can only be purchased via IBM SPSS, US. This offering is not eligible for resell from authorized US IBM business partners and/or resellers.

We appreciate your business and look forward to continuing to serve you as our valued customer.

Thank you,

Kyu Hur
IBM Corporation
SPSS Brand Specialist
Academic Accounts

Tel: 919-884-3410
E-mail: khur@us.ibm.com

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1.   The product or services being purchased must perform a function for which no other product or source of services exists,

2.   The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND

3.   The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1.   An explanation about why the amount to be expended is reasonable, and

2.   An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of $5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over $5,000 but not over $50,000 (not over $25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than $5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to $250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented

in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above $5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above $250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.